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Attorneys for Plaintiff

THE UNITED STATES DISTRICT COURT  
THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) No. CR 08-0238 MHP

Plaintiff, )

v. )

JASON HOANG, YANG CAO, and YANG )  
HUA MEI, )

Defendants. )

**STIPULATION AND ~~PROPOSED~~  
ORDER EXCLUDING TIME FROM  
SEPTEMBER 8, 2008 THROUGH  
OCTOBER 20, 2008**

On September 8, 2008, the parties in this case appeared before the Court for a status conference. The parties stipulated and the Court agreed that time should be excluded from the Speedy Trial Act calculations from September 8, 2008, through October 20, 2008, for effective preparation of defense counsel and for a transfer of a case. The continuance is necessary to allow for the transfer of a case concerning defendant Jason Hoang under Fed. R. Crim. P. 20. This time is excludable under 18 U.S.C. § 3161(h)(1)(G). The parties also represented that granting the continuance was the reasonable time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(8)(B)(iv). The parties

1 agreed that the ends of justice served by granting such a continuance outweighed the best  
2 interests of the public and the defendants in a speedy trial. *See* 18 U.S.C. § 3161(h)(8)(A).

3 SO STIPULATED:

4 JOSEPH P. RUSSONIELLO  
5 United States Attorney

6 DATED: October 15, 2008

7 /s/ Owen Martikan  
8 OWEN P. MARTIKAN  
9 Assistant United States Attorney

10 DATED: September 10, 2008

11 BARRY J. PORTMAN

12 /s/  
13 RONALD C. TYLER  
14 Attorney for Jason Hoang

15 DATED: September 9, 2008

16 /s/  
17 ALAN A. DRESSLER  
18 Attorney for Yang Hua Mei

19 DATED: October 14, 2008

20 /s/  
21 DAVID J. COHEN  
22 Attorney for Yang Cao

23 As the Court found on September 8, 2008, and for the reasons stated above, an exclusion of  
24 time from September 8, 2008, through October 20, 2008, is warranted due to delay resulting from  
25 the transfer of a case, and because the ends of justice outweigh the best interests of the public and  
26 the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(1)(G) and (h)(8)(A). The failure to grant  
27 the requested continuance would deny defense counsel the reasonable time necessary for  
28 effective preparation, taking into account the exercise of due diligence, and would result in a  
miscarriage of justice. *See* 18 U.S.C. § 3161(h)(8)(B)(iv).

SO ORDERED.

DATED: October 16, 2008

  
HON. MARILYN HALL PATEL  
United States District Judge